

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

BILL CATHEY,

Plaintiff,

v.

Case No. 23-CV-207-JFH-GLJ

LEISHA VON EVERETT, et al.,

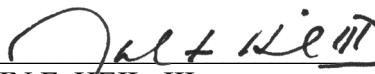
Defendants.

OPINION AND ORDER

Plaintiff Bill Cathey (“Plaintiff”) filed a motion requesting the Court to appoint counsel. Dkt. No. 3. He bears the burden of convincing the Court that his claim has sufficient merit to warrant such appointment. *McCarthy v. Weinberg*, 753 F.2d 836, 838 (10th Cir. 1985) (citing *United States v. Masters*, 484 F.2d 1251, 1253 (10th Cir. 1973)). The Court has carefully reviewed the merits of Plaintiff’s claims, the nature of factual issues raised in his allegations, and his ability to investigate crucial facts. *McCarthy*, 753 F.2d at 838 (citing *Maclin v. Freake*, 650 F.2d 885, 887-88 (7th Cir. 1981)). After considering Plaintiff’s ability to present his claims and the complexity of the legal issues raised by the claims, the Court finds that appointment of counsel is not warranted. *See Williams v. Meese*, 926 F.2d 994, 996 (10th Cir. 1991); *see also Rucks v. Boergermann*, 57 F.3d 978, 979 (10th Cir. 1995). If Plaintiff requires additional time to comply with the Court’s orders, he may request it.

IT IS THEREFORE ORDERED that Plaintiff’s motion for appointment of counsel [Dkt. No. 3] is DENIED.

Dated this 2nd day of November 2023.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE